

1 CYNDY DAY-WILSON (SBN 135045)
cday-wilson@ci.eureka.ca.gov

2 **CITY ATTORNEY, EUREKA**

3 531 K Street

Eureka, CA 95551

Telephone: 707-441-4147

4 Facsimile: 707-441-4148

5 MICHAEL A. SWEET (SBN 184345)

msweet@foxrothschild.com

6 JACK PRAETZELLIS (SBN 267765)

jpraetzellis@foxrothschild.com

7 **FOX ROTHSCHILD LLP**

345 California Street, Suite 2200

8 San Francisco, CA 94104

Telephone: 415-364-5540

9 Facsimile: 415-391-4436

10 Attorneys for CITY OF EUREKA

11 Creditor and Real Party in Interest

12 UNITED STATES BANKRUPTCY COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SANTA ROSA DIVISION

15
16 In re:

17 FLOYD E. SQUIRES III AND
18 BETTY J. SQUIRES,

19 Debtors.

CASE No. 17-10828 WJL 11

Chapter 11

**CITY OF EUREKA'S THIRD REQUEST
FOR JUDICIAL NOTICE IN SUPPORT
OF CITY OF EUREKA'S MOTION TO
APPOINT CHAPTER 11 TRUSTEE**

Date: March 26, 2018

Time: 9:00 a.m.

Judge: Hon. William Lafferty

Location: U.S. Courthouse
3140 Boeing Avenue
McKinleyville, CA

The City of Eureka ("City") hereby requests that the Court take judicial notice of the following documents in support of the City's Motion to Appoint a Chapter 11 Trustee:

<u>Date</u>	<u>Item</u>	<u>No.</u>
1/10/2018	Issued Inspection Abatement Warrant [for 833 H Street]	A
1/10/2018	Application for Abatement/Inspection Warrant [for 833 H Street]	B
1/10/2018	Memorandum of Points and Authorities in Support of Inspection/Abatement Warrant Application [for 833 H Street]	C
1/10/2018	Affidavit of Code Enforcement Program Manager Matthew Morgan in Support of Application for Inspection/Abatement Warrant for the Listed Property [833 H Street]	D
1/10/2018	Declaration of Director of Public Works/Chief Building Official Brian J. Gerving in Support of Application for Inspection/Abatement Warrant for the Listed Property [833 H Street]	E
1/10/2018	Declaration of Deputy Public Works Director Brian Issa in Support of Application for Inspection and Abatement Warrant [for 833 H Street]	F
1/10/2018	Appendix of Exhibits [In Support of Application for Inspection Abatement Warrant for 833 H Street]	G

The above documents are subject to judicial notice because they are facts that can be accurately and readily determined from sources whose accuracy cannot be reasonably questioned. Fed. R. Evid. 201(a)(2); *Disabled Rights Action Committee v. Las Vegas Events, Inc.*, 375 F.3d 861, 883 (9th Cir. 2004) ("undisputed matters of public record" are subject to judicial notice).

Dated: February 26, 2018

FOX ROTHSCHILD LLP

By /s/Michael A. Sweet

Michael A. Sweet
Attorneys for Creditor and Real Party in Interest
City of Eureka